



**U.S. Department of Justice**

Environment and Natural Resources Division

---

*Deputy Assistant Attorney General  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0001*

*Telephone (202) 514-2701  
Facsimile (202) 514-0557*

May 9, 2022

Dear Tribal Leader:

The Department of Justice and the Environmental Protection Agency invite you to participate in a discussion session on the distribution of certain funds remaining in the Environmental Mitigation Trust for Indian Tribe Beneficiaries (“Trust”) established pursuant to settlement of the United States’ claims in *In re Volkswagen “Clean Diesel” Marketing, Sales Practices and Products Liability Litigation*, Case No. 15-md-2672 CRB (JSC) (N.D. Cal.).

The Trust establishes four funding cycles during which certain Trust assets are committed to Beneficiaries to fund Eligible Mitigation Actions. After the conclusion of the fourth funding cycle, the United States and Wilmington Trust, N.A. (“Trustee”) must determine whether the Trust contains sufficient funds to warrant a fifth funding cycle. The United States and the Trustee notified the Court and the Trustee notified the Beneficiaries that the United States and Trustee had extended that deadline from March 30 to May 31, 2022. The United States and the Trustee would like to hear the Beneficiaries’ views on certain issues that will inform their decision whether to hold a fifth funding cycle. The specific issues for discussion will be provided closer to the date of the discussion session.

The Indian Tribe Trust Agreement is available at:

<https://www.vwenvironmentalmitigationtrust.com/tribe-trust>. Further information regarding the general terms of the Volkswagen settlements is available at:

<https://www.epa.gov/enforcement/volkswagen-clean-air-act-civil-settlement>.

The discussion session will be held on **TUESDAY, MAY 24, 2022, at 1 PM Eastern** by teleconference. To register for the session and receive call-in information, please call 202-514-9860. Note that you will be asked to provide your name and Tribal affiliation when you register.

We hope you will be able to participate in this discussion session and look forward to working with you on this important issue.

Sincerely,



Gina Allery  
Deputy Assistant Attorney General  
Environment and Natural Resources Division  
U.S. Department of Justice

cc: Institute for Tribal Environmental Professionals  
Technical Assistance Provider